



PATENT  
ATTORNEY DOCKET NO. 00537-161002 - 051/US/PCT/US

Certificate of Mailing: Date of Deposit: 1/27/2005

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as **Express mail** EV493188165US with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dawn M. Janelle

Printed name of person mailing correspondence

Dawn M Janelle  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): CAWTHORNE, Michael A. et al

Art Unit: 1653

Serial No.: 09/423,684

Examiner: ROBINSON, Hope A.

Filed: March 20, 2000

Title: SOMATOSTATIN AND SOMATOSTAIN AGONISTS FOR DECREASING  
BODY WEIGHT

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

TRANSMITTAL LETTER AND FEE AUTHORIZATION

Transmitted herewith is the corrected Claim Section of the Reply previously filed December 9, 2004 under 37 C.F.R. §1.116 which is in response to the USPTO Office Communication concerning this application; a copy of aforementioned USPTO Paper 12292004 mailed 1/11/2005 and an acknowledgement postcard.

No fee is believed to be due for this submission beyond that provided for in respect of the Petition for Extension of Time. However, Applicant(s) hereby authorize the Commissioner for Patents to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. A duplicate copy of this letter is enclosed.

Date: 1/27/2005

Respectfully submitted,

Alan F. Feeney  
Alan F. Feeney  
Attorney for Applicant(s)  
Reg. No. 43,609

Biomeasure, Incorporated  
27 Maple Street  
Milford, MA 01757-3650  
(508) 478-0144 phone, (508) 473-3531 facsimile



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT	PAPER
----------	-------

12292004

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The Amendment filed on December 09, 2004 is non-compliant because it has failed to meet the requirement of 37 CFR 1.121. In order for the amendment document to be complaint, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), for example the entire "Amendments to the claims" section of applicant's amendment document must be resubmitted.

In the Amendment filed on December 9, 2004, claims are denoted as "cancelled" however, the text appears which is confusing and is incorrect. As the non-compliant amendment is a reply to a Final Office Action and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hope A. Robinson whose telephone number is 571-272-0957. The examiner can normally be reached on Monday-Friday from 9:00 a.m. to 6:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jon P. Weber, can be reached at (571) 272-0925.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hope A. Robinson, MS  
Patent Examiner  
12/29/04

  
JON WEBER  
SUPERVISORY PATENT EXAMINER